

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-13428 - APPLICANT: GEORGE GEKAKIS, INC. -
OWNER: SOUTHERN TRACE HOLDINGS, LLC, ET AL**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-13431), Variance (VAR-13430), Variance (VAR-13429), Waiver (WVR-13432), and Vacation (VAC13433) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/04/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a five-foot perimeter landscape buffer where 15 feet is required.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. Mechanical equipment shall be fully screened from view.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. A reversionary map shall be submitted to remove parcel lines that bisect the interior of the site.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. A Petition of Vacation, such as VAC-13433, to vacate existing right-of-way in conflict with this site plan shall be recorded prior to the issuance of any permits for this site.
15. Coordinate with the City Surveyor to determine the appropriate mapping required to establish the proposed property boundaries for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
16. Construct half-street improvements, including appropriate overpaving, on Effinger Lane adjacent to this site concurrent with development of this site. Effinger Lane shall be terminated with a cul-de-sac meeting current City Standards unless a waiver is approved by the City Council. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

18. Extend public sewer to the south end of Effinger Lane from McKnight Street concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
19. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcels to the south (Assessor's Parcel Numbers 139-25-410-027 and 037 and 139-25-407-005) prior to the issuance of any permits.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction plans or the issuance of any permits. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.
24. Landscape and maintain all unimproved right-of-way, if any, on Effinger Lane adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping, if any, located in the Effinger Lane public right-of-way adjacent to this site prior to occupancy of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 99-unit expansion to an existing 110-unit Senior Citizen Apartment Development and a waiver of the perimeter landscape buffer requirements on 8.98 acres adjacent to the west side of Effinger Lane, approximately 300 feet south of Harris Avenue.

EXECUTIVE SUMMARY

Staff does not support this request for a senior housing development as it is incompatible with the surrounding residential neighborhood and it does not meet several Title 19 development standards. The height of the structure will have a negative effect on the surrounding properties that are designated for rural residential development. A different design could allow for greater compliance with Title 19 and better compatibility with the surrounding neighborhood.

BACKGROUND INFORMATION

A) Related Actions

- 07/21/04 The City Council approved a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), a Rezoning (ZON-3672), and a Site Development Plan Review (SDR-3958) with a reduction in the amount of required perimeter landscaping for a proposed 50-unit multi-family residential development. The Planning Commission recommended approval. Staff recommended denial.*
- 07/13/06 The Planning Commission recommended approval of companion items WVR-13432, VAR-13429, VAR-13430, SUP-13431 and VAC-13433 concurrently with this application.
- 07/13/06 The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #24/stf).

*The above project was not constructed on the site.

B) Pre-Application Meeting

- 03/08/06 Staff informed the applicant of the required landscaping for this type of project. The submittal requirements for the necessary applications were also discussed.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.14

B) *Existing Land Use*

Subject Property: Vacant Lot; Senior Apartments
North: Vacant Lot; Multi-Family Residential; Single Family Residential
South: Nevada Power Substation; Vacant Lot; Multi-Family Residential
East: Single Family Residential; Multi-Family Residential
West: Multi-Family Residential; Commercial Center

C) *Planned Land Use*

Subject Property: M (Medium Density Residential)
North: L (Low Density Residential); M (Medium Density Residential)
South: PF (Public Facilities); SC (Service Commercial); M (Medium Density Residential)
East: L (Low Density Residential); M (Medium Density Residential)
West: M (Medium Density Residential); SC (Service Commercial)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates) under ROI to R-3 (Medium Density Residential)
North: R-E (Residence Estates); R-3 (Medium Density Residential)
South: C-V (Civic); R-E (Residence Estates); R-3 (Medium Density Residential); R-PD16 (Residential Planned Development – 16 units per acre)
East: R-E (Residence Estates); R-3 (Medium Density Residential)
West: R-3 (Medium Density Residential)

E) *General Plan Compliance*

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of M (Medium Density Residential). This designation allows up to 25 units per acre and a variety of multi-family housing options. The underlying zoning of R-3 (Medium Density Residential) is compatible with the land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

PROJECT DESCRIPTION

The proposal will add 100 total units to an existing 110-unit senior housing development. Access will be from the existing portion of the site, and a waiver of the design of the interior roadways has been requested. The proposed structures will be four stories and will contain a mix of two and one-bedroom units.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 SF	8,276.4 SF	Y
Min. Setbacks			
• Front	20 Feet	26 Feet, 4 Inches	Y
• Side	15 Feet	15 Feet	N
• Corner	5 Feet	N/A	Y
• Rear	20 Feet	20 Feet	Y
Max. Building Height	3 Stories / 40 Feet	4 Stories / 47 Feet, 1 Inch	Y
Trash Enclosure	Gated, Roofed, and Constructed of a similar material to the main structure	Interior to the building	Y
Mech. Equipment	Fully Screened	Not indicated on site plan*	N/A

The subject property does not meet current standards for side setbacks based on Residential Adjacency Standards, but it does comply with the development standards for typical R-3 developments. Residential Adjacency is discussed in more detail below. Additionally, the table indicates that the height of the structure exceeds the height allowed for this type of development. However, senior housing developments may exceed the maximum height allowed with approval of a Special Use Permit per Title 19.04.050. A Special Use Permit (SUP-13431) has been submitted in conjunction with this request. In all other regards, the subject proposal meets all applicable development standards.

*A condition has been added requiring that mechanical equipment be fully screened from view.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The subject proposal requires a 3:1 ratio from adjacent residential property. At just over 47 feet, the project requires an approximate 142-foot setback where 26 feet, 4 inches is provided. A Variance from this requirement has been submitted.
- b) Building setback. As the subject development abuts property zoned R-E (Residence Estates), a 50-foot setback is required. As this is not provided, Variance from this requirement is also needed and is part of the aforementioned Residential Adjacency Variance.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Senior Citizen Apartments	210 Units (including developed portion of site)	.75 Space per Unit	158	6	213	6
TOTAL			158 (including handicap)		213 (including handicap)	

The subject proposal is providing more spaces than are required. Of the 213 provided, 156 are covered spaces. Part of the parking will be accommodated on a vacated portion of Poppy Lane.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	1 Tree	0 Trees
Buffer:			
• Min. Trees	1 Tree / 20 Linear Feet	63 Trees	68 Trees
• Min. Zone Width	15 Feet		5 Feet
• Wall height	8 Feet		10 Feet

The subject proposal does not meet all current standards for landscaping. Specifically, a tree is required in the parking area and is not provided. It should be noted that much of the parking is covered, negating the need for much of the parking area landscaping that is typically required of developments of this type. Additionally, the buffer width is not as wide as required by Title 19 standards (five feet provided where 15 feet are required). However, a waiver of the perimeter landscaping has been requested.

Proposed wall heights are taller than allowed by Title 19. A Variance from this requirement has been submitted and will be heard concurrently with this request.

B) General Analysis and Discussion

- Zoning

The subject proposal meets all applicable zoning requirements for R-3 (Medium Density Residential) developments. However, it does not meet Residential Adjacency Standards per Title 19.

- Site Plan

The site plan shows the existing 110-unit senior housing development, along with the proposed addition to the north. Access to the proposed portion will be from the interior and will connect to the existing parking area. A vacation of Poppy Lane along the northeastern portion of the developed part of the site will provide additional parking for the overall complex. Trash enclosures are interior to the buildings and will be collected at the southern end of the new structures. .

- Waivers

A waiver of the perimeter landscape buffer width is being requested as this width is too narrow along the eastern edge of the proposed addition to the senior housing facility.

- Landscape Plan

The landscape plan indicates a deficiency in buffer width along the eastern property line of the proposed addition. Along the north and west property lines of the addition, a landscaped walking trail is proposed. Staff cannot support the proposed landscaping due to the waiver of buffer width required.

- Elevation

The elevations show three four-story apartment buildings. Finish materials include stucco and concrete tile roofing. Breezeways connect the buildings, making a cohesive transition between them. Given the rural residential character of the surrounding R-E (Residence Estates) neighborhood, the height is not appropriate for the area. Additionally, a 10-foot tall wall is proposed along the exterior of the site which is two feet taller than allowed by Title 19 standards. A Variance has been requested from this requirement.

- Floor Plan

The floor plan shows two different unit configurations containing one or two bedrooms. The floor plans are open with wide doorways for easy access. The one bedroom units have a total of 785 square feet and the two bedroom units are 1,014 square feet. Also included in the buildings is a manager's unit, a bistro with a kitchen, a piano bar, and health and fitness rooms.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development is not compatible with adjacent residential properties as it will be much taller than the heights allowed in the adjacent R-E zone. Additionally, setback requirements are not met, so adjacent properties are not adequately protected from the proposed project.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

Two Variances and a Waiver are required, thus rendering the project incompatible with applicable plans and documents.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

Neighborhood traffic will not be greatly affected as access to the proposed addition will be from the existing development. Furthermore, senior housing developments tend to generate fewer average daily trips than a standard housing development of the same type and design.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building and landscape materials are not appropriate as insufficient landscaping is being provided along the eastern boundary of the site.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

The proposal is not harmonious or compatible with development in the surrounding area. The height of the structure and of the proposed wall will not create an aesthetically pleasing addition to the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

If the project could be constructed without the requested variances and/or waiver then Staff could more easily make a finding that the project protects the public health, safety, and general welfare.

PLANNING COMMISSION ACTION

Conditions #24 and 25 were added by Public Works staff.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 100 by Planning Department

APPROVALS 0

PROTESTS 0